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RCE/2800

PTO/SB/30 (5/2000)
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/992,172
Filing Date	November 14, 2001
First Named Inventor	Nicholas F. Baida
Group Art Unit	2859
Examiner Name	A. Hoolahan
Attorney Docket Number	GK-BAIDA-102/500764.20002

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____

(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1529

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of \$ \$385.00 (RCE FEE) enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Harry K. Ahn

Registration No. (Attorney/Agent) 40,243

Signature *Harry K. Ahn*

Date February 27, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service under 37 CFR 1.10 in and Express Mail Envelope No.: EV 304 053 695 US addressed to Commissioner For Patents, Mail Stop RCE, Alexandria, VA 22313-1450.

Name (Print/Type) Ruth Montalvo

Signature *Ruth Montalvo*

Date February 27, 2004

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Ruth Montalvo

In the event that this paper is late filed and a necessary Petition for an Extension of Time is not concurrently filed herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this paper, to Deposit Account No. 50-1529.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No. 026418

Docket No. GK-BAIDA-102/500764.20002

Applicant(s): Nicholas F. Baida

Group Art Unit: 2859

Serial No.: 09/992,172

Examiner: A. Hoolahan

Filed: November 14, 2001

For: DEVICE AND METHOD FOR MAKING PRECISE MEASUREMENTS
AND CUTS WITH A MEASURING TAPE

AMENDMENT

Sir:

In response to an Office Action dated December 29, 2003, please amend the application as follows prior to substantive examination.